

BOARD OF SUPERVISORS' MEETING
PLANNING AND ZONING AGENDA
March 9, 2016

CONSENT AGENDA

1. Title: PHO Hercules WCF
Case #: **Z2015081**
Supervisor District: 1
Applicant & Owner: Garrett Bair/ MOB Investment, LLC
Request: Special Use Permit (SUP) for a Wireless Communication Facility (WCF) – 50' (h) monopalm in the C-1 zoning district
Site Location: Generally located at the northeast corner of Riggs Rd. and Alma School Rd. in the Sun Lakes/Chandler area
Site Size: Approximately 320 sq. ft. of a 4.78 ac. parcel
Commission
Recommendation: On 2/4/16, the Commission voted 8-0 to recommend **approval** of **Z2015081** subject to conditions 'a' – 'h':
- a. Development of the site shall be in substantial conformance with the Site Plan entitled "Verizon Wireless: PHO Hercules", consisting of six (6) full-size sheets, stamped received December 3, 2015, except as modified by the following conditions.
 - b. Development of the site shall be in conformance with the Narrative Report entitled "Verizon Site: PHO Hercules", consisting of six (6) pages, stamped received October 8, 2015, except as modified by the following conditions.
 - c. The maximum height of the Wireless Communication Facility including all attachments other than concealment elements, shall be limited to 50' (h).
 - d. The wireless communication tower shall retain the stealth properties as originally designed. Any damaged or missing fronds or branches shall be replaced within 60 days of such damage occurring.
 - e. This Special Use Permit shall expire 25 years from the date of approval by the Board of Supervisors, for a period of 90 or more consecutive days, or upon termination of the use, whichever occurs first. All of the site improvements shall be removed within 60 days of such termination or expiration.
 - f. Major changes to this Special Use Permit shall be processed as a revised application in the same manner as the original application, with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission. Minor changes may be administratively approved by staff of the Planning and Development Department.

- g. Noncompliance with any Maricopa County Regulation shall be grounds for initiating a revocation of this Special Use Permit as set forth in the Maricopa County Zoning Ordinance.
- h. The granting of this change in use of the property has been at the request of the applicant, with the consent of the landowner. The granting of this approval allows the property to enjoy uses in excess of those permitted by the zoning existing on the date of application, subject to conditions. In the event of the failure to comply with any condition, and at the time of expiration of the Special Use Permit, the property shall revert to the zoning that existed on the date of application. It is, therefore, stipulated and agreed that either revocation due to the failure to comply with any conditions, or the expiration of the Special Use Permit, does not reduce any rights that existed on the date of application to use, divide, sell or possess the property and that there would be no diminution in value of the property from the value it held on the date of application due to such revocation or expiration of the Special Use Permit. The Special Use Permit enhances the value of the property above its value as of the date the Special Use Permit is granted and reverting to the prior zoning results in the same value of the property as if the Special Use Permit had never been granted.

2. Title: PHO 339th Ave.
Case #: **Z2015088**
Supervisor District: 4
Applicant & Owner: Heather Chadwick, Reliant Land Services for Verizon / Silver Spoon Properties LLC
Request: Special Use Permit (SUP) for a Wireless Communication Facility (WCF) - a 100' high monopole in the Rural-43 zoning district
Site Location: Generally located at the northeast corner of 339th Ave. and Broadway Rd.
Site Size: 1,200 sq. ft. of a 153 acre parcel
Commission
Recommendation: On 2/4/16, the Commission voted 8-0 to recommend **approval** of **Z2015088** subject to conditions 'a' – 'i':

- a. Development of the site shall be in substantial conformance with the Site Plan entitled "Verizon Wireless: PHO_339th AVE", consisting of seven (7) full-size sheets, stamped received December 18, 2015, except as modified by the following conditions.
- b. Development of the site shall be in conformance with the Narrative Report entitled "Verizon Site: PHO_339th AVE", consisting of five (5) pages, stamped received December 18, 2015, except as modified by the following conditions.
- c. The maximum height of the Wireless Communication Facility and all attachments shall be limited to 100'.
- d. This Special Use Permit shall expire 25 years from the date of approval by the Board of Supervisors, for a period of 90 or more consecutive days, or upon

termination of the use, whichever occurs first. All of the site improvements shall be removed within 60 days of such termination or expiration.

- e. The following MCDOT conditions shall apply:
 - 1. Broadway Road is County right-of-way and actively maintained roadway. Any improvements in the MCDOT Right-of-Way (ROW) must be shown on the plans, subject to MCDOT standards. A ROW permit will be required for any work in the MCDOT ROW. A MCDOT Application and Certificate of Liability Insurance will need to be submitted as well. This permit will be administered through Planning & Development together with the building permit.
- f. The following MCDEM condition shall apply:
 - 1. The applicant shall contact the Palo Verde Nuclear Generating Station (PVNGS) Emergency Planning Department to obtain protective action instruction placards. The PVNGS placards shall be posted in at least two locations within the 30' x 40' compound upon consultation with the PVNGS Emergency Planning Department.
- g. Major changes to this Special Use Permit shall be processed as a revised application in the same manner as the original application, with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission. Minor changes may be administratively approved by staff of the Planning and Development Department.
- h. Noncompliance with any Maricopa County Regulation shall be grounds for initiating a revocation of this Special Use Permit as set forth in the Maricopa County Zoning Ordinance.
- i. The granting of this change in use of the property has been at the request of the applicant, with the consent of the landowner. The granting of this approval allows the property to enjoy uses in excess of those permitted by the zoning existing on the date of application, subject to conditions. In the event of the failure to comply with any condition, and at the time of expiration of the Special Use Permit, the property shall revert to the zoning that existed on the date of application. It is, therefore, stipulated and agreed that either revocation due to the failure to comply with any conditions, or the expiration of the Special Use Permit, does not reduce any rights that existed on the date of application to use, divide, sell or possess the property and that there would be no diminution in value of the property from the value it held on the date of application due to such revocation or expiration of the Special Use Permit. The Special Use Permit enhances the value of the property above its value as of the date the Special Use Permit is granted and reverting to the prior zoning results in the same value of the property as if the Special Use Permit had never been granted.

3. Title: Toyota Proving Grounds Major Amendment 2015
Case #: **Z2015016**
Supervisor District: 4
Applicant & Owner: Noel J. Griemsmann, Snell & Wilmer, LLP / Toyota Motor Engineering & Manufacturing N.A., Inc.
Request: Major amendment to a Special Use Permit (SUP) for the Toyota Proving Grounds in the Rural-190 zoning district
Site Location: Approximately at the northwest corner of Peak View Rd. and Patton Rd. in the Wickenburg area.
Site Size: Approximately 11,658 acres

Commission

Recommendation: On 2/4/16, the Commission voted 8-0 to recommend **approval** of **Z2015016** subject to conditions 'a' – 'h':

- a. Development of the site shall be in substantial conformance with the Site Plan entitled "Toyota Proving Grounds Major Amendment 2015", consisting of 20 full-size sheets, dated December 23, 2015, and stamped received December 30, 2015, except as modified by the following conditions.
- b. Development of the site shall be in conformance with the Narrative Report entitled "TOYOTA PROVING GROUNDS SPECIAL USE PERMIT MAJOR AMENDMENT 2015 NARRATIVE REPORT", consisting of 8 pages, dated December 29, 2015, and stamped received December 30, 2015, except as modified by the following conditions.
- c. The applicant/property owner shall submit a 'will serve' letter for fire protection services for the project site. A copy of the 'will serve' letter shall be required as part of the initial construction permit submittal.
- d. Noncompliance with any Maricopa County Regulation shall be grounds for initiating a revocation of this Special Use Permit as set forth in the Maricopa County Zoning Ordinance.
- e. The granting of this change in use of the property has been at the request of the applicant, with the consent of the landowner. The granting of this approval allows the property to enjoy uses in excess of those permitted by the zoning existing on the date of application, subject to conditions. In the event of the failure to comply with any condition, and at the time of expiration of the Special Use Permit, the property shall revert to the zoning that existed on the date of application. It is, therefore, stipulated and agreed that either revocation due to the failure to comply with any conditions, or the expiration of the Special Use Permit, does not reduce any rights that existed on the date of application to use, divide, sell or possess the property and that there would be no diminution in value of the property from the value it held on the date of application due to such revocation or expiration of the Special Use Permit. The Special Use Permit enhances the value of the property above its value as of the date the Special

Use Permit is granted and reverting to the prior zoning results in the same value of the property as if the Special Use Permit had never been granted.

- f. The Special Use is a permanent entitlement without expiration.
- g. Major changes to the Special Use Permit shall be processed as a revised application, with approval by the Board of Supervisors upon recommendation of the Planning and Zoning Commission. Minor changes may be administratively approved by the Planning and Development Department. Major changes to the Special Use Permit may require a new Citizen Participation Process as determined by the Planning and Development Department.
- h. All previous Special Use Permit (SUP) and SUP amendments including the conditions/stipulations are superseded with this approval.

- 4. Title: Granite Vista Final Plat Phase 1C
Case #: **S2015007**
Supervisor District: 4
Applicant/Owner: LVA Urban Design Studio / NHSE Bisbane LLC
Request: Final Plat consisting of 50 lots and 13 tracts in the R1-10 RUPD PAD, R1-8 RUPD PAD, R1-7 RUPD PAD, R1-6 RUPD PAD and R1-35 RUPD zoning districts.

Site Location: Generally located at the NWC of Northern Ave. & Cotton Ln.
Site Size: Approximately 36 acres
- 5. Title: Granite Vista Final Plat Phase 1D
Case #: **S2015008**
Supervisor District: 4
Applicant/Owner: LVA Urban Design Studio / NHSE Bisbane LLC
Request: Final Plat consisting of 94 lots and 17 tracts in the R1-8 RUPD PAD, R1-7 RUPD PAD, R1-6 RUPD PAD zoning districts.

Site Location: Generally located at the NWC of Northern Ave. & Cotton Ln.
Site Size: Approximately 36 acres